

## **STAFF REPORT**

DATE: June 20, 2022

TO: Governing Body

FROM: City Attorney

RE: Bellino Fireworks

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### **Background:**

This is the Lion Club fireworks tent. The distributor they use was approved for a permit to place their fireworks tent south of the Dollar General. They have been there for several years. As Woodlawn construction proceeded it became clear that access and space on the lot was not feasible for this location. Distributor requested the city provide alternate locations, this location worked for the owner and the City. The distributor contacted the City with final site plan and requested approval last week or late the week before. At that point the plan was coordinated with City staff and now comes before Council for consideration.

### **Discussion:**

Having reviewed the idea of moving things around, staff supports the proposed set up of the fireworks tent and accessory structures as presented. Staff looked at traffic, ground base, and code resources for dealing with light, noise, and other potential nuisances. Staff is comfortable recommending approval conditioned upon Sedgwick County Fire approving the site for their needs and the applicant using a gravel base for parking and posting no parking signs to address the neighbors concerns.

The location of the tent is consistent with what would have been allowed if they erected a permanent structure in the C-1 zone instead of a tent. It is reasonably within approximate setbacks and already has access in place. Staff does not recommend it be moved to the north because the fire department requests flammable structures be placed close to the road so they can easily access with their equipment in the case of a fire. Moving the tent to the east is not an option because that property is owned by a different owner and staff prefers it be further away from the intersection because of the traffic entering and exiting the site. The storage unit containing flammable materials is already on the very edge of the property line.

The fire department still has to come through and give their approvals and will add appropriate safety measures based on their assessment. Staff recommends City approval be conditioned on theirs.

The City received feedback from one neighbor, citing safety and parking concerns. This can be addressed by requiring the applicant to place a no parking sign along the Russell family's property line to address concerns regarding overflow parking.

Recommendation from staff; ***Approve conditioned upon Sedgwick County Fire approving the site for their needs and the applicant using a gravel base for parking area and posting no parking notice.***

